

1 RILEY A. CLAYTON
Nevada Bar No. 005260
2 TROY A. CLARK
Nevada Bar No. 011981
3 rclayton@lawhjc.com
4 tclark@lawhjc.com

5 HALL JAFFE & CLAYTON, LLP
7425 PEAK DRIVE
6 LAS VEGAS, NEVADA 89128
(702) 316-4111
7 FAX (702) 316-4114

8 *Attorneys for Defendant*
9 *Denny's, Inc.*

10 UNITED STATES DISTRICT COURT
11 DISTRICT OF NEVADA

12 MONICA HINOSTROZA,

13 Plaintiff,

14 vs.

15 DENNY'S, INC., d/b/a DENNY'S
16 RESTAURANT, a Foreign corporation, DOES 1
through 20; ROE BUSINESS ENTITIES 1
through 20, inclusive jointly and severally,

17 Defendants.

CASE NO.: 2:17-cv-02561-RFB-NJK

**STIPULATION AND ORDER TO EXTEND
CURRENT DISCOVERY DEADLINES I
COMPLIANCE WITH LOCAL RULE 26-4**

SECOND REQUEST

18
19 IT IS HEREBY STIPULATED by and between Plaintiff Monica Hinostroza and Defendant
20 Denny's, Inc., d/b/a Denny's Restaurant, by and through their respective counsel of record, and
21 hereby stipulate to extend all current deadlines by 60-days. Pursuant to Local Rule 6-1(b), the
22 parties state that this is their first request for extension of discovery deadlines.

23 **REASONS FOR NECESSITY OF STIPULATION**

24 The parties stipulate that because Plaintiff's counsel fell and broke her ankle on February 22,
25 2018. Counsel's personal injury has delayed this matter and as a professional courtesy, Defendant
26 has agreed to continue discovery 60 days.

27 Furthermore, neither Plaintiff's counsel nor Plaintiff have availability for deposition through
28 March of 2018. This testimony is necessary for the formulation of expert opinions.

1 As a result of counsel's injury and the questions about the reasons for the fall, the parties
2 agree to extend all current deadlines by 60-days in compliance with Local Rule 26-1(e) and Local
3 Rule 26-4. The parties have good cause for seeking this extension of the deadlines. This request for
4 extension is made by the parties and is made in good faith and not for the purpose of delay, but to allow
5 all parties sufficient time to conduct necessary discovery.

6 **DISCOVERY COMPLETED**

- 7 • Denny's Inc. exchanged FRCP 26(a) disclosures on November 9, 2017.
- 8 • Plaintiff exchanged FRCP 26(a) disclosures on November 15, 2017.
- 9 • Denny's Inc. propounded its first set of written discovery on Plaintiff November 9, 2017.
- 10 • Plaintiff propounded written discovery on Denny's Inc. on December 6, 2017.
- 11 • Plaintiff requested a site inspection and outlined his proposed FRCP 30(b)(6) topics to
12 Denny's Inc.'s counsel.
- 13 • Denny's Inc. and Plaintiff have been diligently requesting Plaintiff's medical records.
- 14 • The parties stipulated on December 27, 2017 to continue discovery.
- 15 • Plaintiff responded to Denny's Inc.'s first set of written discovery on January 19, 2018.
- 16 • Denny's Inc. responded to Plaintiff's first set of written discovery on February 13, 2018.
- 17 • On February 6, 2018, the parties stipulated to allow a site inspection of the Subject Property
18 on March 1, 2018.
- 19 • On February 14, 2018, Denny's Inc. proposed its proposed stipulation for a protective order /
20 confidentiality agreement.
- 21 • On February 15, 2018, Denny's Inc. disclosed its First Supplemental Supplement to its Rule
22 26(a) disclosures. This included 739 pages of documents.
- 23 • On February 26, 2018, Plaintiff's counsel reported her injury to defense counsel and the
24 current stipulation was agreed to.

25 **DISCOVERY PENDING**

- 26 • Denny's Inc. anticipates taking the deposition of Plaintiff, Jose Hinostroza, and Plaintiff's
27 treating physicians in Boston Massachusetts;
- 28 • Plaintiff anticipates taking an FRCP 30(b)(6) deposition(s) of Denny's Inc.;

- Denny's Plaintiff's participant witness depositions who are likely out of state;
- Plaintiff anticipates taking the depositions of Denny's Inc.'s Expert Witness(es); and
- Denny's Inc. anticipates taking the depositions of Plaintiff's Expert Witness(es).

[PROPOSED] NEW DISCOVERY DEADLINES

Last day to Amend and Add new Parties..... May 3, 2018
Expert Disclosure Deadline June 5, 2018
Joint Interim Status Report Deadline June 5, 2018
Rebuttal Expert Disclosure Deadline July 6, 2018
Extension or Modification of the DP-SO July 11, 2018
Discovery Cut-Off Date August 3, 2018
Dispositive Motion Deadline August 31, 2018
Proposed Joint Pre-Trial Order October 2, 2018

If this extension is granted, all anticipated additional discovery should be concluded within the stipulated extended deadline.

DATED this 28th day of February, 2018.

DATED this 28th day of February, 2018.

HALL, JAFFE & CLAYTON

RICHARD HARRIS LAW FIRM

/s/ Troy A. Clark
Riley A. Clayton, Esq.
Nevada Bar No. 5260
Troy A. Clark, Esq.
Nevada Bar No. 11361
7425 Peak Drive
Las Vegas, Nevada 89128

/s/ Michaela E. Tramel
Michaela E. Tramel, Esq.
Nevada Bar No. 9466
801 South Fourth Street
Las Vegas, NV 89101

*Attorneys for Defendant
Denny's, Inc.*

*Attorneys for Plaintiff
Monica Hinostroza*

ORDER

IT IS SO ORDERED.

Dated March 1 _____, 2018.


UNITED STATES MAGISTRATE JUDGE